

EXAMINATION FOR ALCOHOL OR DRUG DEPENDENCE - MOTION AND ORDER

STATE OF CONNECTICUT SUPERIOR COURT

JD-CR-91EL Rev. 10-97 C.G.S. § 17a-693, 17a-694, 17a-695, 17a-696, 17a-699

INSTRUCTIONS

- TO DEFENDANT - Forward original and 2 copies of this form to the Clerk of Court and provide a copy to opposing attorney(s).
 TO CLERK - If motion is granted, immediately distribute copies of this form and the defendant's Consent for Release of Information as follows:
 (1) Send to OAP - copy of this form and copy of consent.
 (2) Send to DMHAS treatment facility - copy of this form and original signed consent.
 (3) Retain original of this form and copy of consent in court file.

TO: The Superior Court of the State of Connecticut

NEXT COURT DATE

DOCKET NO.

JUDICIAL DISTRICT OR G.A.		ADDRESS OF COURT		
NAME OF DEFENDANT		SEX	RACE	ADDRESS OF DEFENDANT
DEFENDANT'S TELEPHONE	DATE OF BIRTH	NAME AND ADDRESS OF DEFENDANT'S ATTORNEY		
CRIME(S) CHARGED/CONVICTED OF (Include date offense committed)				
<input type="checkbox"/> RELEASED <input type="checkbox"/> INCARCERATED		IF INCARCERATED, LOCATION BEING HELD AT (Name and address of facility)		

MOTION (To Be Completed by Applicant)

I, the undersigned STATE'S ATTORNEY DEFENDANT move for an order of the court that the above-named defendant be examined pursuant to Section 17a-694 of the General Statutes for alcohol or drug dependence. I hereby make the following statements:

DEFENDANT CHARGED BUT NOT YET TRIED

DEFENDANT CONVICTED BUT NOT YET

- The defendant IS NOT CHARGED WITH SEEKS WAIVER OF INELIGIBILITY BECAUSE OF BEING CHARGED WITH a violation of Section 14-227a or Section 53a-60d of the General Statutes or with a class A, B or C felony.
- The defendant WAS NOT PREVIOUSLY ORDERED TREATED SEEKS WAIVER OF INELIGIBILITY BECAUSE THE DEFENDANT WAS PREVIOUSLY ORDERED TREATED under the provisions of Section 6 of subsection (i) of Section 17-155y, Section 19a-386 or Section 21a-284 of the General Statutes, revised to 1989 or Section 17a-696..

- The defendant was not convicted of murder, attempt to commit murder, kidnapping, robbery in the first degree or any felony involving serious physical injury.
- The defendant has not been previously ordered treated under Sections 19a-387 or 21a-285 of the General Statutes, revised to 1989 or Section 17a-699.

WHEREFORE, the undersigned moves that the court order that the defendant be examined for alcohol or drug dependence in accordance with Section 17a-694.

I have read the above and understand it. I agree to the foregoing statements.	SIGNED (Defendant)	DATE SIGNED
CONSENTED TO BY (Parent or Guardian)	SIGNED (Attorney for Defendant)	SIGNED (State's Attorney)

ORDER

- The foregoing motion is denied.
 Having found that the interests of justice will be served, the foregoing motion is granted subject to the defendant executing the attached Consent for Release of Information.

BY THE COURT (Print or type name of judge)	SIGNED (Judge or Assistant Clerk)	DATE SIGNED
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APPOINTMENT OF EXAMINER(S)

TO: The Clinical Examiner
 You are hereby ordered to examine the above-named defendant and submit a signed written report of your findings and deliver it to the court, the Office of Adult Probation, the state's attorney and the defendant's attorney within thirty days of the Date of Order shown below. The examiner will not be required to be present to testify on the report unless the examiner receives a separate notice from the court, the state's attorney or the defendant's attorney requesting the examiner's presence to testify.
 In its report, the examiner shall indicate whether the defendant was an alcohol-dependent or drug-dependent person at the time of the crime(s). If the defendant is determined to have been dependent on alcohol or drugs, the examiner is to further determine (1) the history and pattern of the dependency, and (2) whether the defendant presently needs and is likely to benefit from treatment for the dependency. If the examiner determines that the defendant presently needs and is likely to benefit from treatment, the examiner shall recommend treatment, including provisions for the appropriate placement and the type and length of treatment, which may include provisions for outpatient treatment, and state the date space will be available in an appropriate treatment program, provided such date shall not be more than forty-five days from the date of the examination report.

DATE OF ORDER	BY THE COURT (Print or type name of judge)	SIGNED (Assistant Clerk)	DATE SIGNED
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NOTICE TO DEFENDANT - No statement made by you in the course of the examination ordered above may be admitted in evidence on the issue of guilt in a criminal proceeding concerning you.